

## LIMITED SOURCES JUSTIFICATION

(Brand Name)

(FAR 8.405-6(b))

The following Limited Sources Justification (LSJ) has been prepared to meet the requirements of Federal Acquisition Regulation (FAR) 8.405-6 and FAR 17.502-1(a).

### 1. Identification of the agency and contracting activity

United States Patent and Trademark Office (USPTO)  
Office of the Chief Financial Officer (OCFO)  
Office of Procurement (OP)  
Alexandria, VA

### 2. Nature and/or description of the action requiring approval

This justification seeks approval, under the authority of Part 8.405-6 (b) (1), Limited Sources of the Multiple Award Schedule Program, to award a sole source delivery order for Krono's WebTA software maintenance to ImmixTechnology, Inc., 8444 Westpark Drive, Suite 200, McLean, VA 22102. The delivery order will be 12 months for a total estimated value of \$197,119.39

### 3. Description of the supplies or services required and the estimated value thereof

The USPTO uses Krona's WebTA software for its Time and Attendance system. The software is used by all USPTO employees. This requirement is for the acquisition of 429 additional licenses and annual software maintenance of all 14,421 licenses. The software maintenance is required in order to receive software update and technical support and the additional licenses are necessary due to growth.

### 4. Authority and supporting rationale (see 8.405-6(b)(1)) and, if applicable, a demonstration of the proposed contractor's unique qualifications to provide the required supply or service

☒ This acquisition is conducted under the authority of the Multiple Award Schedule Program. Consideration of schedule contractors will be restricted only to the item peculiar to one manufacturer as provided in FAR 8.405-6(a)(2) [see FAR 8.401 and 8.405-6(g)(1)].

Only one source is capable of responding. ImmixTechnology, Inc. is the only reseller of Krona's WebTA.

- 5. Determination by the ordering activity Contracting Officer that the order will represent the best value to the Government consistent with FAR 8.404(d), and “determination of best procurement approach” consistent with FAR 17.502-1(a)**

Pursuant to FAR 8.404(d), GSA has already determined the prices of supplies and fixed-price services, under schedule contracts to be fair and reasonable. Comparing the previous year's pricing to the vendor's current pricing, the commercial price index increase on similar products, from 2014-2015, the vendor's pricing is found fair and reasonable. The vendor's pricing increase of 7% falls below the unadjusted percentage range from 11.6% to 15.5%.

- 6. Description of the market research conducted among schedule holders and the results, or a statement of the reason market research was not conducted**

Per FAR 8.405-6(b)(1), the requirement may only be responded to by one capable source which is ImmixTechnology, the only reseller of the Krona's product. As such, additional market research was not conducted for the requirement.

- 7. Any other facts supporting the justification**

The USPTO uses Krona's WebTA software for its Time and Attendance system. The software is used by all USPTO employees.

- 8. Actions, if any, the agency may make to remove or overcome any barriers that led to the restricted consideration before any subsequent acquisition.**

Market research will be conducted for any subsequent acquisitions to determine if competition is available.

## Technical Certification

By signature below, the Technical Representative certifies that the supporting data necessary to form the basis for this justification is accurate and complete to the best of their knowledge and belief.

Thomas B McCandless

Technical Representative Name

Users, Mccandless, Thomas

Digitally signed by Users, Mccandless, Thomas  
DN: dc=gov, dc=USPTO, cn=Users, cn=Mccandless, Thomas  
Date: 2015.08.24 08:38:08 -0400

August 24, 2015

Technical Representative Signature

Date

## 9. Contracting Officer's Certification

By signature below, the ordering activity Contracting Officer certifies that this justification is accurate and complete to the best of their knowledge and belief.

\_\_\_\_\_  
Contracting Officer Name

\_\_\_\_\_  
Contracting Officer Signature

\_\_\_\_\_  
Date

## 10. Competition Advocate Approval (required for action valued from \$650K to \$12.5M)

In accordance with FAR 8.405-6(d)(2), I have reviewed this justification and I approve this justification.

\_\_\_\_\_  
Competition Advocate Name

\_\_\_\_\_  
Competition Advocate Signature

\_\_\_\_\_  
Date

**11. HCA (or designee) Approval (required for action valued from \$12.5M to \$62.5M)**

In accordance with FAR 8.405-6(d)(3), I have reviewed this justification and I approve this justification.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**12. Senior Procurement Executive Approval (required for action valued over \$62.5M)**

In accordance with FAR 8.405-6(d)(4), I have reviewed this justification and I approve this justification.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date